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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

ADDRESS TO: Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application No.	10/048,205
Filing Date	May 2, 2002
First Named Inventor	Richard A. Gambale
Group Art Unit	3738
Examiner Name	Jackson, Suzette Jamie
Attorney Docket No.	B0410/7284

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTES

RCE v. CPA: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA.

FEES AND SUBMISSION REQUIRED: A submission as used in this section includes, but is not limited to, an information disclosure statement, an amendment to the written description, claims, or drawings, new arguments, or new evidence in support of patentability. If reply to an Office action under 35 U.S.C. 132 is outstanding, the submission must meet the reply requirements of § 1.111 (see 37 C.F.R. 1.114(c)).

RCE APPLIES TO: An application in which prosecution is closed (see 37 C.F.R. § 1.114(b)).

RCE DOES NOT APPLY TO: (1) A provisional application; (2) an application for a utility or plant patent filed under 35 U.S.C. 111(a) before June 8, 1995; (3) an international application filed under 35 U.S.C. 363 before June 8, 1995; (4) an application for a design patent; or (5) a patent under reexamination (see 37 C.F.R. 1.114(e)).

1. SUBMISSION REQUIRED UNDER 37 C.F.R. § 1.114

- a. Enter and consider the unentered amendment under 37 C.F.R. § 1.116 previously filed on ____.
- b. Consider the arguments in the Appeal Brief or Reply Brief previously filed on ____.
- c. Amendment/Response enclosed.
- d. Affidavit(s)/Declaration(s) enclosed.
- e. Information Disclosure Statement (IDS) enclosed.
 - i. PTO-1449
 - ii. Copies of IDS Citations
- f. Other _____

2. RCE FEE REQUIRED UNDER 37 C.F.R. § 1.114

- a. Small entity status
 - i. was established in the prior nonprovisional application.
 - ii. is established herewith by the enclosed written assertion of entitlement to small entity status.
- b. A Petition and Fee for Extension of Time for four months up to and including June 17, 2005 is enclosed herewith.
- c. A check in the amount of \$ 2,380.00 is enclosed.
- d. The Commissioner is hereby authorized to charge the required fee(s), i.e., \$ _____, to Deposit Account No. 50-1721.
- e. The Commissioner is hereby authorized to credit overpayments or charge any additional fees required for this submission under 37 C.F.R. §§ 1.16 and 1.17 to Deposit Account No. 50-1721.

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Request For Continued Examination (RCE) Transmittal

Serial No. 10/048,205

Page 2 of 2

3. MISCELLANEOUS

- a. Return Receipt Postcard enclosed.
b. Other _____.

CORRESPONDENCE ADDRESS	SIGNATURE BLOCK
Direct all correspondence to: Patent Administrator Kirkpatrick & Lockhart Nicholson Graham LLP 75 State Street Boston, MA 02109-1808 Tel. No.: (617) 261-3100 Fax No.: (617) 261-3175	Respectfully submitted,  Arthur Z. Bookstein Atty/Agent for Applicant(s) Kirkpatrick & Lockhart Nicholson Graham LLP 75 State Street Boston, MA 02109-1808

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